

REMARKS

Claim 10 has been cancelled. Claim 11 has been amended to correct for claim dependency. Claims 1 and 9 were previously presented. Claims 22-46 were previously withdrawn. Claims 1-3, 6-9, and 11-21 are presently under examination. No new matter has been added.

Withdrawn Rejections

The Applicants gratefully acknowledge the withdrawal of the 35 U.S.C. 103 rejection of claims 1-3 and 6-21. A Notice of Allowance for all claims presently under examination is therefore respectfully requested.

New Rejections

Enclosed herein are a number of amendments to the specifications correcting the informalities noted by the Examiner. In particular, the enclosed amendment addresses the misspelling of “polyoxyl” as well as instances where the numeral “7” appeared in the text of the Tables instead of the symbol “®”.

The Applicants respectfully disagree with the basis of the rejection of claims 10-13. Without concession or admission as to validity of the rejection, it is respectfully submitted that the rejection is moot in view of the present amendment.

Non-statutory Double Patenting

Claims 1-3 and 6-21 stand rejected on the basis of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 and 23 of US 6,200,968. While the Applicants respectfully disagree with the basis of the rejection, the rejection can likely be overcome by the filing of a Terminal Disclaimer. Accordingly, the Applicants respectfully request that the double patenting rejection, as applied to claims 1-3, 6-9, and 11-21, be held in abeyance pending the express identification of otherwise allowable subject matter in the present application and claims.

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PATENT

Conclusion

The Applicants assert that the foregoing constitutes a full and complete reply to the January 6, 2009 Office Action and that claims 1-3, 6-9, and 11-21 are in condition for allowance. An early Notice to that effect is, therefore, earnestly solicited. In addition, the Applicants request rejoinder of all methods claims, *i.e.*, claims 22-26, that incorporate all the limitations of an allowable product claim.

Respectfully submitted,

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